

1 **WO**

2
3
4
5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE DISTRICT OF ARIZONA

7 United States of America,)
8 Plaintiff,) No. 09-291-M
9 vs.)
10 Jose Ocampo-Brito,) **ORDER**
11 Defendant.)
12

13 Having considered the Parties' Joint Motion to allow the government additional time
14 under the Speedy Trial Act to file an indictment, the Court finds that the ends of justice served
15 by granting the extension outweigh the best interest of the public and the defendant in a speedy
16 trial. 18 U.S.C. § 3161(h)(8)(A).

17 In making this finding, the Court has considered each of the factors specified in 18
18 U.S.C. § 3161(h)(8)(B). In addition, the Court has considered the following:

- 19 1. Counsel has only recently been appointed;
20 2. The defendant wishes to consider the plea offer extended by the
21 government;
22 3. The defendant wishes to investigate possible defenses prior to
23 considering the government's plea offer, which is made pursuant to
24 a "fast track" early disposition program authorized by the
25 Department of Justice pursuant to § 401(m) of the Prosecuting
26 Remedies and Tools Against the Exploitation of Children Today
27 Act of 2003 (PROTECT Act), Pub. L. 108-21, 117 Stat. 650 (Apr.
28 30, 2003);
4. The government's plea offer, if accepted by the defendant and then
the court, would likely reduce defendant's exposure to a significant
term of imprisonment;
5. If the defendant does not timely accept the plea offer prior to
indictment, the government will withdraw said plea offer and any
subsequent plea offer after indictment would likely be less
advantageous to the defendant;

